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ENQUIRIES: RONDINE ISAACS
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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): PROPOSED ESTABLISHMENT OF A MIXED-USE DEVELOPMENT ON ERVEN 23579, 23580, 23582, 23583 AND 23584, (REGISTERED AS ERF 23324), KUILS RIVER.

With reference to your application for the abovementioned, find below the outcome with respect to this application.

DECISION

By virtue of the powers conferred on it by the NEMA and the EIA Regulations, 2014 (as amended), the competent authority herewith grants Environmental Authorisation to the applicant to undertake the list of activities specified in Section B below with respect to the preferred alternative as included in the Basic Assessment Report ("BAR") dated 30 November 2020.

The granting of this Environmental Authorisation (hereinafter referred to as the "Environmental Authorisation") is subject to compliance with the conditions set out in Section E below.

A. DETAILS OF THE HOLDER OF THIS ENVIRONMENTAL AUTHORISATION

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The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "the holder".

B. LIST OF ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>Listing Notice 1 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 12: <i>"The development of-</i> <i>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i></p> <p><i>where such development occurs-</i> <i>(a) within a watercourse;</i> <i>(b) in front of a development setback; or</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -</i></p> <p><i>excluding-</i> <i>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</i> <i>(bb) where such development activities are related to the development of a port or harb</i> <i>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</i> <i>(dd) where such development occurs within an urban area;</i> <i>(ee) where such development occurs within existing roads, road reserves or railway line reserves; or</i> <i>(ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared".</i></p>	<p>Infrastructure/structures of more than 100m² will be constructed within 32m from the edge of a watercourse.</p>
<p>Activity 19: <i>"The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p> <p><i>but excluding where such infilling, depositing, dredging, excavation, removal or moving -</i> <i>(a) will occur behind a development setback;</i> <i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i> <i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i></p>	<p>The development proposal entails the removing or moving, dredging, excavation, infilling or depositing of material of more than 10m³ from a watercourse.</p>

<p>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies”.</p>	
<p>Activity 27: “The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for - (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan”.</p>	<p>More than 1ha of indigenous vegetation will be cleared.</p>
<p>Activity 28: “Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare; excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes”.</p>	<p>The proposed site was zoned for agricultural use on or after 01 April 1998 and is located outside the urban area.</p>

Listed Activity	Activity/Project Description
<p>Listing Notice 3 of the EIA Regulations, 2014 (as amended):</p> <p>Activity 4: “The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>i. Western Cape</p> <p>i. Areas zoned for use as public open space or equivalent zoning;</p> <p>ii. Areas outside urban areas; (aa) Areas containing indigenous vegetation; (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</p> <p>lii. Inside urban areas: (aa) Areas zoned for conservation use; or</p>	<p>A road wider than 4m will be developed for which indigenous vegetation will be cleared.</p>

<p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority".</p>	
<p>Activity 12: <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p>i. Western Cape</p> <ol style="list-style-type: none"> i. <i>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</i> ii. <i>Within critical biodiversity areas identified in bioregional plans;</i> iii. <i>Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</i> iv. <i>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</i> v. <i>On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister".</i> 	<p>More than 300m² of critically endangered vegetation will be cleared.</p>

The abovementioned list is hereinafter referred to as "the listed activities".

The holder is herein authorised to undertake the following related to the listed activities:

The proposed project entails the establishment of a mixed-use development on Erven 23579, 23580, 23582, 23583 and 23584, (registered as Erf No. 23324), Kuils River. The proposed development will be known as the Haasendal Estate and will include numerous residential precincts, a commercial node along Saxdowns Road, and a private school.

The proposed development (excluding the existing nodes) will be as follows:

- 46 000m² General Business Gross Leasable Area ("GLA");
- 2833 residential units;
- 84 673 m² of Public Open Space; and
- A place of instruction for 1800 pupils.

The Estate will include flats, group housing as well as single residential housing opportunities. The proposed residential land uses will vary from retirement homes, apartments, semi-detached town houses, row houses, group houses as well as larger single residential plots. Each housing typology will cater for a different income market.

The pockets will be developed in phases and will include more detailed land use applications for each pocket. This is in line with Section 136 of the City of Cape Town Development Managing Scheme, which outlines the Package of Plans Approach.

The open spaces within the Haasendal Estate, including the access roads to the open spaces, will be zoned Public Open Space and Public Road for use of the greater community. The strip of public open space to the north will provide access to Haasendal Park for the existing Turnberry development.

Approximately 4.53ha of functional open spaces will be provided, as well as approximately 3.87ha of formal sport fields. The connectivity access area between Turnberry and the Bottelary River will be zoned Public Open Space 2. The entire wetlands and riverine corridor will be Open Space 2, including the road network that provides access to this area.

Other features in the Estate comprise dedicated cycling and pedestrian walkways, as well as public open spaces along the Bottelary River. Environmental linkages along the river corridor will be maintained to enhance biodiversity networks and to access the open spaces. The open space system will be implemented during phase 3 to allow the plants and rehabilitated areas more time to establish prior to the construction of the houses.

Two internal bridges will be constructed across the Bottelary River and will provide a public and a private internal access, across the Bottelary River which can accommodate public access to the area and the public open spaces to be created along the Bottelary River. A road will also cross the tributary of the Bottelary River. Rivendal Road (2 lane road) and Blomendal Boulevard (4 lane road) will cross the Bottelary River in a north-south direction. Blomendal Boulevard will cross the Bottelary River by means of culverts similar to the Saxdowns Road Bridge. Rivendal Road will be a low water bridge with only one lane across the river, to allow for a stop-go system. Pugsli Boulevard (2 lane road) will cross the north-south tributary in an east-west direction.

The widths of the 4-lane road, including the shoulders, will be approximately 20m in extent. The widths of the 2 lane roads, including the shoulders, will be approximately 14m in extent. The total footprint of the structures to be developed within and within 32m of the Bottelary River is approximately 3744m².

A link road will be constructed between Saxdowns Road and the future Zevenwacht Link Road. The holder will thus construct the Class 4 distributor road through the Haasendal Estate up to the eastern boundary of the site. Three main access roads to the development are proposed. One access has already been constructed which refers to Pugsli Road and serves as the access to the existing Turnberry Estate. Another access (left in) has been constructed toward the north of this existing access providing access to the Gables Mall. Furthermore, another full access will be constructed toward the south of the Bottelary River opposite the existing Sandalwood Road.

Approximately 15ha of medium sensitivity Cape Flats Sand Fynbos, which has re-established, will be lost due to the proposed development. The Cape Town Environmental Education Trust ("CTEET") will act as the managing agent to administer the conservation levies, which will be paid by the Home Owners Association. The CTEET has a

Memorandum of Agreement with the City of Cape Town which allows its staff to operate on City land.

The CTEET will work with the Haasendal Reserve Manager to manage the Haasendal Estate open spaces, riverine corridors and the ecological linkages to the Haasendal Nature Reserve. The CTEET will also provide resources, if and when available, to also manage the Haasendal Nature Reserve.

The funding will be derived from a conservation levy to be included in the estate levies, the amount of which have been outlaid in the CTEET proposal. This will reduce the management costs to the Master Home Owners Association and future buyers. The conservation levies will be ring-fenced and managed by the CTEET to be utilised only for the proposed Haasendal development. Other management functions including the management of grassed areas and the management of the storm water infrastructure will remain the responsibility of the Master Home Owners Association.

All bulk services will be supplied by the City of Cape Town. The holder will assist with the provision of bulk services to the proposed development, as well as the construction of Saxdowns Road. Bulk services connections are readily available along Saxdowns Road.

The site area as per the Site Development Plan totals 71.06ha and approximately 55ha will be developed.

C. LOCATION AND SITE DESCRIPTION

The site previously comprised of Portions 01, 11, 26, 30, 34, 58 and 87 of Farm Haasendal No. 222, Brackenfell. The portions have since been consolidated and a range of new residential erven been introduced. The proposed development includes Erven 23579, 23580, 23582, 23583, and Erf 23584, in Kuils River (registered as Erf 23324, Kuils River).

The Estate is surrounded by medium to high density residential neighbourhoods to the north, south and west with agricultural uses to the east. The site is located on the boundary of Brackenfell and Kuils River and the Bottelary River flows through the site from east to west. The site is located adjacent to the Kuils River Golf Course. Saxdowns Road is situated along the western boundary.

The SG 21-digit codes are:

Property number	SG 21-digit code
23579	C06700130002357900000
23580	C06700130002358000000
23582	C06700130002358200000
23583	C06700130002358300000
23584	C06700130002358400000

Co-ordinates:

Latitude: 33° 54.64' 3" S

Longitude: 18° 42.25' 2" E

Refer to Annexure 1: Locality Plan and Annexure 2: Site Plan.

hereinafter referred to as "the site".

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (“EAP”)

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E. CONDITIONS OF AUTHORISATION

Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with and restricted to the preferred alternative, described in the BAR dated 30 November 2020 on the site as described in Section C above.
2. Authorisation of the activities is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
3. The holder must commence with, and conclude, the listed activities within the stipulated validity period which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the competent authority.

This Environmental Authorisation is granted for–

- (a) A period of five (**5**) years, from the date of issue, during which period the holder must commence with the authorised listed activities; and
 - (b) A period of ten (**10**) years, from the date the holder commenced with an authorised listed activity, during which period the authorised listed activities for the construction phase, must be concluded.
4. The activities that have been authorised may only be carried out at the site described in Section C above in terms of the approved EMPr.
 5. Any changes to, or deviations from the scope of the description set out in Section B and Condition 2 above must be accepted or approved, in writing, by the competent authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the competent authority may request such information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

Notification of authorisation and right to appeal

6. The holder of the authorisation must in writing, within 14 (fourteen) calendar days of the date of this decision –
 - 6.1 notify all registered interested and affected parties ("I&APs") of –
 - 6.1.1 the outcome of the application;
 - 6.1.2 the reasons for the decision;
 - 6.1.3 the date of the decision; and
 - 6.1.4 the date of issue of the decision;
 - 6.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended);
 - 6.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and
 - 6.4 provide the registered I&APs with:
 - 6.4.1 the name of the holder (entity) of this Environmental Authorisation,
 - 6.4.2 name of the responsible person for this Environmental Authorisation,
 - 6.4.3 postal address of the holder,
 - 6.4.4 telephonic and fax details of the holder,
 - 6.4.5 e-mail address, if any;
 - 6.4.6 the contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the National Appeal Regulations, 2014 (as amended).

Commencement

7. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notified the registered I&APs of this decision.
8. In the event that an appeal is lodged with the Appeal Administrator, the effect of this Environmental Authorisation is suspended until such time as the appeal is decided. In the instance where an appeal is lodged the holder may not commence with the activity, including site preparation, until such time as the appeal has been finalised and the holder is authorised to do so.

Written notice to the competent authority

9. A minimum of 7 (seven) calendar days' notice, in writing, must be given to the competent authority before commencement of construction activities. Commencement for the purpose of this condition includes site preparation.
 - 9.1 The notice must make clear reference to the site details and EIA Reference number given above.
 - 9.2 The notice must also include proof of compliance with the following conditions described herein:
Conditions: 6, 7, 14, 24.2 and 27.

Management of activity

10. The draft Environmental Management Programme ("EMPr") and River Maintenance Management Plan ("RMMP") dated November 2020 (as compiled by Guillaume Nel Environmental Consultants) and submitted as part of the application for Environmental Authorisation are hereby approved, and must be implemented.
11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The EMPr must be included in all contract documentation for all phases of implementation.
13. A copy of the Environmental Authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site referred to in Section C above must be granted and, the Environmental Authorisation and EMPr must be produced to any authorised official representing the competent authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein. The Environmental Authorisation and EMPr must also be made available for inspection by any employee or agent of the applicant who works or undertakes work at the site.

Monitoring

14. The holder must appoint a suitably experienced Environment Control Officer ("ECO"), for the duration of the construction phase to ensure compliance with the provisions of the EMPr and the conditions contained in this Environmental Authorisation.

The ECO must–

- 14.1 be appointed prior to commencement of any construction activities commencing;
- 14.2 ensure compliance with the EMPr and the conditions contained herein;
- 14.3 keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
- 14.4 remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed;
- 14.5 provide the competent authority with copies of the ECO reports within 30 days of the project being finalized; and
- 14.6 conduct monthly site inspections during the construction phase.

Environmental audit reports

15. The holder must, for the period during which the Environmental Authorisation and EMPr remain valid -
 - 15.1 ensure that the compliance with the conditions of the Environmental Authorisation and the EMPr is audited;
 - 15.2 submit an environmental audit report three months after commencement of the construction phase to the relevant competent authority;
 - 15.3 thereafter submit an environmental audit report every five (5) years while the Environmental Authorisation remains valid; and

- 15.4 A final audit report one (1) month after completion of construction activities.
16. The environmental audit reports must be prepared by an independent person and must address the objectives and contain all the information set out in Appendix 7 of the EIA Regulations, 2014 (as amended).

In addition to the above, the environmental audit report, must -

- 16.1 provide verifiable findings, in a structured and systematic manner, on–
- (a) the level of compliance with the conditions of the Environmental Authorisation and the EMPr and whether this is sufficient or not; and
 - (b) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr and highlight whether this is sufficient or not;
- 16.2 identify and assess any new impacts and risks as a result of undertaking the activity;
- 16.3 evaluate the effectiveness of the EMPr;
- 16.4 identify shortcomings in the EMPr;
- 16.5 identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
- 16.6 indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
- 16.7 include a photographic record of the site applicable to the audit; and
- 16.8 be informed by the ECO reports.
17. The holder must, within 7 days of the submission of the environmental audit report to the competent authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and, where the holder has such a facility, be placed on a publicly accessible website.

Specific conditions

18. Surface or ground water must not be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met.
19. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a waste disposal facility licensed in terms of the applicable legislation.
20. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains include archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

21. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.
22. On site rehabilitation, conservation and management of the Bottelary riverine corridor, its wetlands and associated biodiversity must be implemented in accordance with the CTEET proposal dated 12 April 2021 towards long-term ecological management associated with the Haasendal Estate Development, which must include *inter alia*:
 - 22.1 The holder is responsible for the funding of the implementation of the Construction and subsequent Operational EMPr, requiring a budget for the Annual Plan of Operation, and salaries for the conservation manager and two conservation staff, and thereafter the Master Home Owners Association once this is included in the title deeds of each property owner.
 - 22.2 The Operational EMPr must be submitted to the Department for approval, prior to the completion of Phase 3.
 - 22.3 The funds must be paid into a trust administered by the Master Home Owners Association and CTEET (or an equivalent conservation organisation).
 - 22.4 The appointment of the conservation manager by CTEET (or whomever is managing the Bottelary River open space corridor *in lieu* of CTEET) must be to the satisfaction of the Biodiversity Management and Recreation & Parks Branches of the City of Cape Town, at a salary of not less than R16 000/month (at 2020 rates), funded by the holder or Master Home Owners Association.
 - 22.5 Provision must be made by the holder or Master Home Owners Association for the administrative fee charged by CTEET (or the equivalent conservation organisation), for the appointment and management of the conservation manager and two conservation staff.
 - 22.6 Two (2) conservation staff members must be appointed to support the conservation manager in operational and maintenance issues, and implementation of the Construction and subsequent Operational EMPr and RMMP (at a minimum cost of R8000/month per person at 2020 rates).
 - 22.7 Provision of an office, ablution and kitchen facilities, and store room on site, for equipment and machinery for the conservation manager and two conservation staff ahead of the conservation manager being appointed.
 - 22.8 Finalisation of the management mechanism and funding must be to the satisfaction of the City's Biodiversity Management and Recreation & Parks Branches.
 - 22.9 Should the Master Home Owners Association not continue the appointment of CTEET to administer the conservation and operational EMPr and provision of staff, an alternative conservation organisation should be appointed, to the satisfaction of the Biodiversity Management and Recreation & Parks Branches of the City of Cape Town.
23. A copy of the Memorandum of Agreement signed between the CTEET and the Master Home Owners Association, must be submitted before commencement of operation.
24. The following recommendations provided in the Freshwater Assessment Report dated May 2017 and Addendum to the Freshwater Assessment Report dated December 2019 and compiled by BlueScience, as included in the EMPr, must be implemented:

- 24.1 A minimum buffer of 30m, measured from the centre of the river, must be established along the Bottelary River.
 - 24.2 The buffer must be established before commencement of any construction activities and where there are associated wetlands present, the buffer must be extended to ensure that the wetlands are included within the buffer zone.
 - 24.3 Where wetland areas fall outside of the 30m buffer zone, the buffer must be extended to ensure the protection of the wetlands.
 - 24.4 A buffer zone of 10-15m, measured from the stream centre, must be established for the unnamed tributaries, whilst the larger southeastern tributary must remain within a 20-30m wide ecological corridor.
 - 24.5 No infilling of hard structures may take place within the buffer zones.
 - 24.6 Works within the watercourse must take place during the low flow period (November/December to April/May).
 - 24.7 Access to the site must be limited to the established access routes.
 - 24.8 The channel where works have been undertaken must be rehabilitated immediately after the works are completed and must be revegetated to limit the impact of erosion and sediment.
 - 24.9 Alien vegetation must be removed from within the aquatic features and their buffer zones, with a focus on *A. saligna* and *P. clandestinum*.
 - 24.10 The buffer zones must be rehabilitated through the use of appropriate riparian indigenous vegetation such as *Olea europaea* subsp. *Africana*; *Salix macronata*; *Searsia augustifolia*; *Cliffortia odorata*; *Pennisetum macrourum*; *Isolepis prolifera*; *Cyperus textilis*; *Juncus effuses*; *Bolboschoenus maritimus*; *Carex clavata*; *Zantedeschia aethiopica*; *Chasmanthe aethiopica* and *Cynodon dactylon*.
 - 24.11 The management edge may comprise of a gravel/woodchip walkway.
 - 24.12 School fields may be located inside the 1:100-year flood line, but must remain outside of the buffer zones.
25. The following recommendations provided in the Health Impact Assessment Report dated June 2018 and compiled by Monique Sham Environmental Consultants, must be implemented:
- 25.1 The sewer pipeline crossing the watercourse must be continuous and encased within a concrete sleeve and must be fitted with a leaking detection device.
 - 25.2 An as-built sewerage layout plan must be drawn up by the engineers and be made available to the ECO and Project Manager.
 - 25.3 The ECO (during construction) or environmental auditor (during construction and operation phase) must inspect the manholes which are likely to cause contamination of the surface and groundwater, *i.e.*, those within the 1: 100-year flood line. Any blockages or overflows must be reported and addressed immediately.
 - 25.4 A map of the installed sewer manholes must be prepared and included so that the ECO can inspect the manholes.
 - 25.5 When construction activities are undertaken within 100m from residential dwellings the working times must be limited to normal working hours (08h00 to 17h00)
 - 25.6 All noise and sound generated by plant or machinery must adhere to SABS specifications for the maximum permissible noise levels.
 - 25.7 Regular monitoring of noise levels must be conducted during construction and the records must be kept on site.
26. The open space network must be zoned Open Space 2 (apart from the school site which is to be zoned Private Open Space 3).

- 26.1 The public roads must have access to the open spaces throughout the development to ensure permanent public access to the open space system by all members of the housing estate, including the Turnberry Estate residents, and members of the public.
 - 26.2 The landscaping of the open space system along the Bottelary River must be implemented during phase 3 to allow the plants and rehabilitated areas more time to establish prior to the construction of the houses.
27. A search and rescue must be conducted before commencement of construction activities for all conservation worthy species, including succulents, bulbs and restios, including *Pelargonium triste* bulbs or any other *Pelargonium* geophytes.
- 27.1 The plants must be transplanted either into the Haasendal Nature Reserve or the Bottelary River corridor.
 - 27.2 The conservation manager in conjunction with the Biodiversity Management and Parks and Recreation Departments of the City of Cape Town must determine to where the plants will be transplanted to.
 - 27.3 The works must be undertaken by a qualified horticulturalist and be supervised by the botanist.
 - 27.4 *Ferraria variabilis* must also be searched and rescued, if this is still present on the site.
 - 27.5 If the search and rescue is undertaken outside the period of May to July, the plants must be maintained in a nursery until the following planting season (May to July).
28. Water saving mechanisms and/or water recycling systems must be installed in order to reduce water consumption that include *inter alia*, the following:
- 28.1 Dual-flush toilet systems.
 - 28.2 All taps must be fitted with water saving devices, that is, tap aerators, flow restrictors and low flow shower heads.
 - 28.3 Water-wise landscaping must be done.
29. The development must incorporate energy/electricity saving measures, which include *inter alia*, the following:
- 29.1 Use of energy efficient lamps and light fittings. Low energy bulbs must be installed, and replacement bulbs must also be of the low energy consumption type.
 - 29.2 Street lighting must be kept to a minimum and down lighting must be used to minimize light impacts. Streetlights must be switched off during the day.
 - 29.3 All geysers must be covered with geyser "blankets".
 - 29.4 The installation of solar water heaters and solar panels must be considered for all buildings.
30. The requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), must be adhered to.

General matters

- 1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
- 2. If the holder does not commence with the listed activities within the period referred to in Condition 3, this Environmental Authorisation shall lapse for the activity, and a new application for Environmental Authorisation must be submitted to the

competent authority. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the competent authority prior to the expiry date of the Environmental Authorisation.

3. The holder must submit an application for amendment of the Environmental Authorisation to the competent authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the competent authority must only be notified of such changes.

4. The manner and frequency for updating the EMPr is as follows:
Amendments to the EMPr, other than those mentioned above, must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.
5. Non-compliance with a condition of this Environmental Authorisation or EMPr may render the holder liable to criminal prosecution.

F. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date notification of the decision was sent to the holder by the competent authority -
 - 1.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 1.2 Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs -
 - 2.1 Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 2.2 Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker *i.e.*, the competent authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post: Attention: Mr. Marius Venter
Western Cape Ministry of Local Government, Environmental Affairs
and Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr. Marius Venter (Tel: 021 483 3721)
Room 809
8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail DEADP.Appeals@westerncape.gov.za or URL <http://www.westerncape.gov.za/eadp>.

G. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

MR. ZAAHIR TOEFY
DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

DATE OF DECISION: 12 APRIL 2021

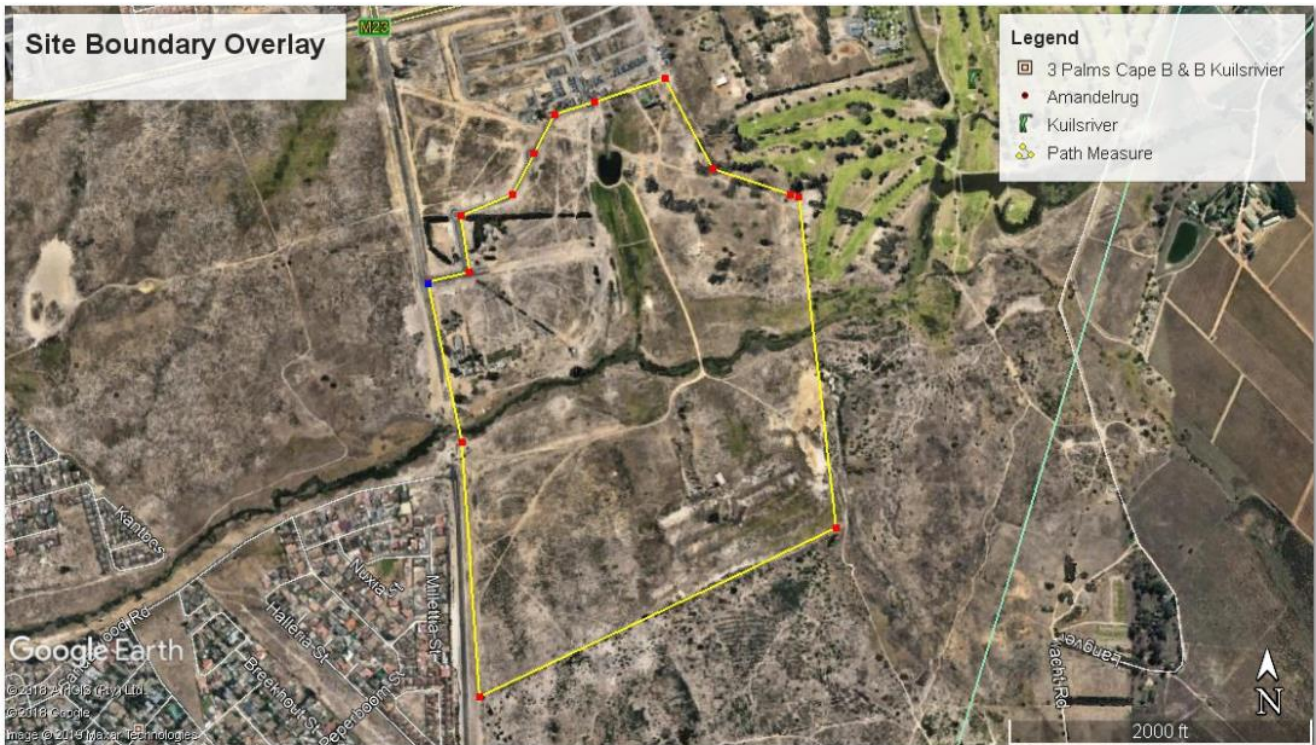
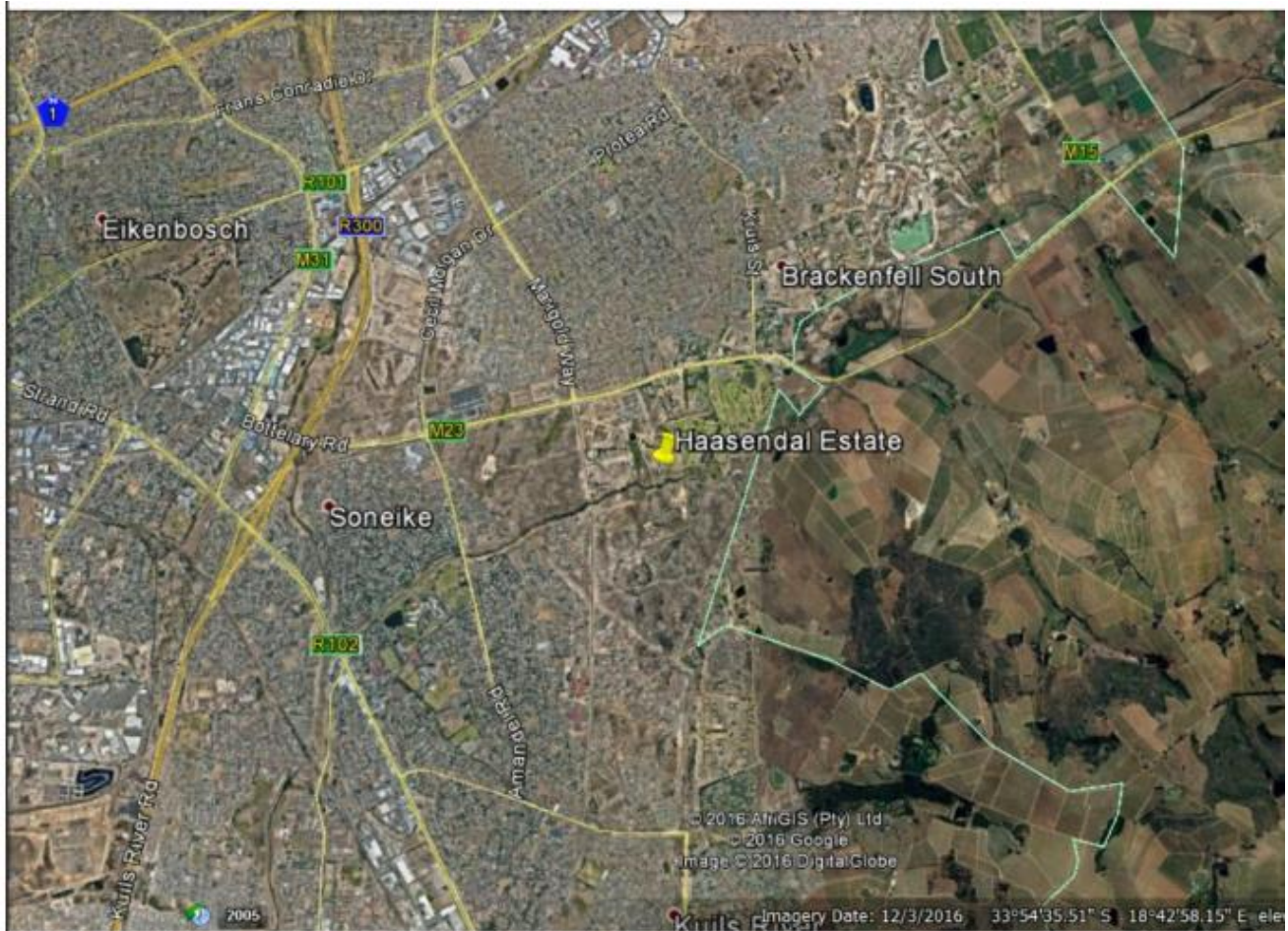
CC: (1) Mr. Renier Kapp (GNEC)
(2) Mr. D. Georgeades (City of Cape Town)
(3) Mr. D. Daniels (DWS)

Email: renier@gnec.co.za
E-mail: dimitri.georgeades@capetown.gov.za
E-mail: danielsd@dws.gov.za

FOR OFFICIAL USE ONLY:

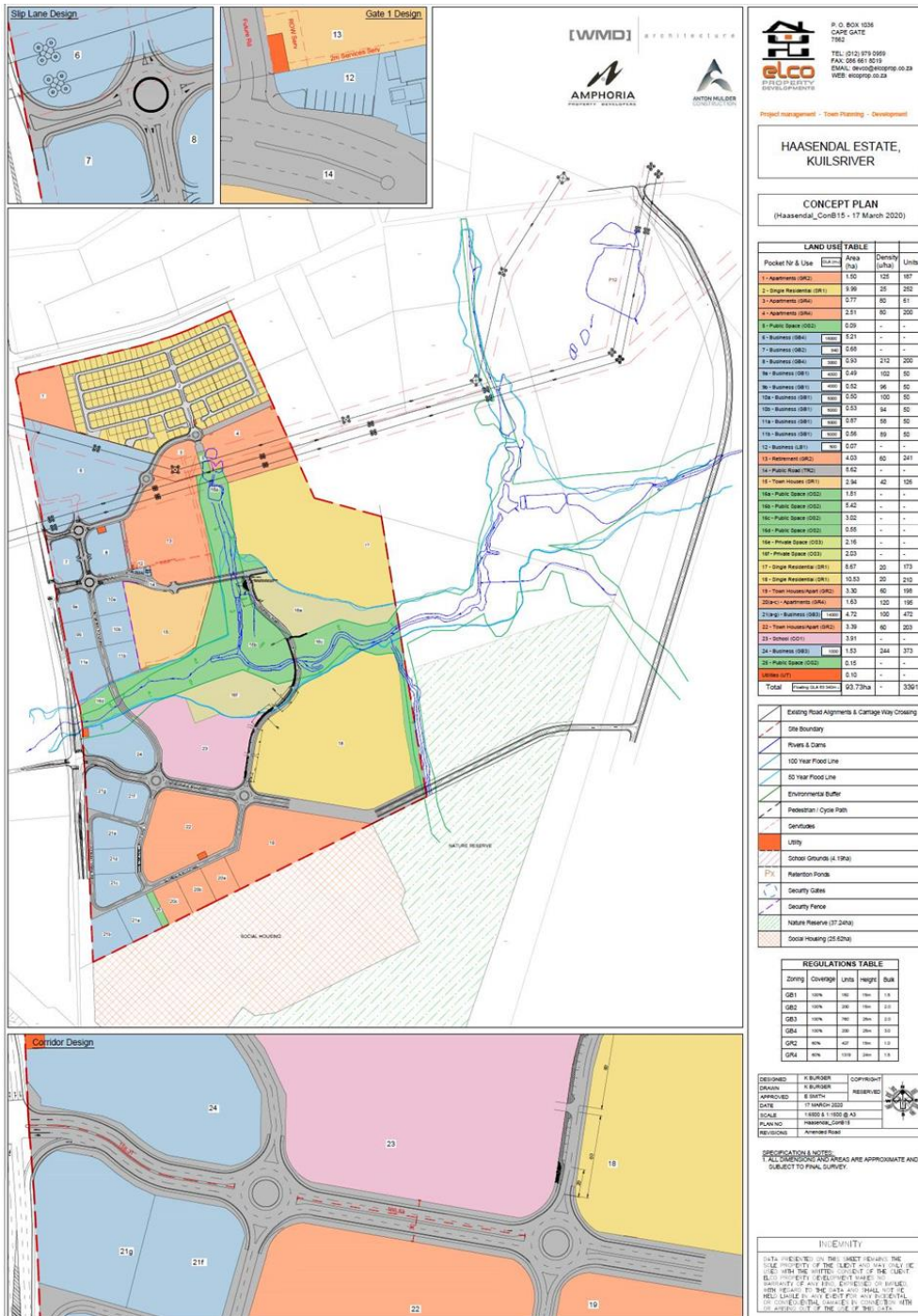
EIA REFERENCE NUMBER: 16/3/3/1/A8/74/3044/19
NEAS EIA REFERENCE NUMBER: WCP/EIA/0000710/2019

ANNEXURE 1: LOCALITY PLAN



ANNEXURE 2: SITE PLAN

Preferred Site Development Plan



ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the competent authority, *inter alia*, considered the following:

- a) The information contained in the Application Form received by the competent authority on 14 November 2019; the BAR dated 30 November 2020; the EMPr and RMMP submitted together with the BAR; and the additional information received on 02 December 2020, 31 March 2021 and 12 April 2021, respectively;
- b) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- c) The comments received from I&APs and the responses provided thereon, as included in the BAR dated 30 November 2020;
- d) The meeting held on 24 February 2020

Attended by Mr. Zaahir Toefy, Mr. Eldon van Boom and Ms. Melanese Schippers of the Department of Environmental Affairs and Development Planning ("DEA&DP") and Mr. Guillaume Nel of GNEC.

- e) No site visits were conducted. The competent authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision is set out below.

1. Public Participation

The Public Participation Process comprised of the following:

- Background Information Documents were hand-delivered to adjacent landowners on 06 August 2019;
- Six site notices were erected at visible and accessible locations on the site on 06 August 2019 as follows:
 - Two notices were erected at the intersection of Saxdowns Road and Bottelary Road;
 - A notice was erected at the intersection of Saxdowns Road and Pugli Road;
 - A notice was erected at the entrance to Turnberry Estate;
 - A notice was erected off Sandalwood Road; and
 - A notice was erected at the intersection of Saxdowns Road and Halleria Street.
- An advertisement was placed in the "Tygerburger" newspaper on 07 August 2019;
- Letters were posted via registered mail on 08 August 2019 to I&APs;
- E-mails were sent on 08 August 2019 to advise I&APs about the availability of the pre-application BAR;
- A copy of the pre-application BAR was placed at the Brackenfell Public Library on 08 August 2019;
- The pre-application BAR was made available from 07 August 2019 until 10 September 2019;
- E-mails were sent on 12 December 2019 to advise registered I&APs about the availability of the post-application draft BAR;
- The post-application draft BAR was made available for download on the website of GNEC on 12 December 2019;
- A copy of the post-application draft BAR was placed at the Brackenfell Public Library on 12 December 2019;

- Copies of the post-application draft BAR were posted via registered mail on 12 December 2019 to registered I&APs;
- The post-application draft BAR was hand delivered to registered I&APs on 12 and 13 December 2019, respectively;
- The post-application draft BAR was made available from 12 December 2019 until 16 February 2020;
- E-mails were sent on 25 July 2020 to advise registered I&APs about the availability of the amended draft BAR; and
- The amended draft BAR was made available from 25 July 2020 until 25 August 2020.

Authorities consulted

The authorities consulted included the following:

- Various departments within the City of Cape Town;
- DEA&DP Directorate: Pollution & Chemicals Management;
- Western Cape Department of Agriculture;
- CapeNature;
- Western Cape Department of Transport and Public Works;
- Department of Water and Sanitation; and
- Heritage Western Cape.

The competent authority is satisfied that the Public Participation Process that was followed met the minimum legal requirements. All the comments and responses that were raised were included in the BAR.

2. Alternatives

The following layout alternatives have been investigated:

Preferred layout alternative – herewith authorised:

The proposed project entails the establishment of a mixed-use development on Erven 23579, 23580, 23582, 23583 and 23584, (registered as Erf No. 23324), Kuils River. The proposed development will be known as the Haasendal Estate and will include numerous residential precincts, a commercial node along Saxdowns Road, and a private school.

The proposed development (excluding the existing nodes) will be as follows:

- 46 000m² General Business GLA;
- 2833 residential units;
- 84 673 m² of Public Open Space; and
- A place of instruction for 1800 pupils.

The Estate will include flats, group housing as well as single residential housing opportunities. The proposed residential land uses will vary from retirement homes, apartments, semi-detached town houses, row houses, group houses as well as larger single residential plots. Each housing typology will cater for a different income market.

The open spaces within the Haasendal Estate, including the access roads to the open spaces, will be zoned Public Open Space and Public Road for use of the greater community. The strip of public open space to the north will provide access to Haasendal Park for the existing Turnberry development.

Approximately 4.53ha of functional open spaces will be provided, as well as 3.87ha of formal sport fields. The connectivity access area between Turnberry and the Bottelary River will be zoned Public Open Space 2. The entire wetlands and riverine corridor will be Open Space 2, including the road network that provides access to this area.

Other features in the Estate comprise dedicated cycling and pedestrian walkways, as well as public open spaces along the Bottelary River. Environmental linkages along the river corridor will be maintained to enhance biodiversity networks and to access the open spaces. The open space system has been moved to phase 3 to allow the plants and rehabilitated areas more time to establish prior to the construction of the houses.

Two internal bridges will be constructed across the Bottelary River and will provide a public and a private internal access across the Bottelary River which can accommodate public access to the area and the public open spaces to be created along the Bottelary River. A road will also cross the tributary of the Bottelary River. Rivendal Road (2 lane road) and Blomendal Boulevard (4 lane road) will cross the Bottelary River in a north-south direction. Blomendal Boulevard will cross the Bottelary River by means of culverts similar to the Saxdowns Road Bridge. Rivendal Road will be a low water bridge with only one lane across the river, to allow for a stop-go system. Pugsli Boulevard (2 lane road) will cross the north-south tributary in an east-west direction.

The widths of the 4-lane road, including the shoulders, will be approximately 20m in extent. The widths of the 2 lane roads, including the shoulders, will be approximately 14m in extent. The total footprint of the structures to be developed within 32m of the Bottelary River is approximately 3744m².

A link road will be constructed between Saxdowns Road and the future Zevenwacht Link Road. The holder will thus construct the Class 4 distributor road through the Haasendal Estate up to the eastern boundary of the site. Three main access roads to the development are proposed. One access has already been constructed which refers to Pugsli Road and serves as the access to the existing Turnberry Estate. Another access (left in) has been constructed toward the north of this existing access providing access to the Gables Mall. Furthermore, another full access will be constructed toward the south of the Bottelary River opposite the existing Sandalwood Road.

Approximately 15ha of medium sensitivity Cape Flats Sand Fynbos, which has re-established, will be lost due to the proposed development.

The CTEET will act as the managing agent to administer the conservation levies which will be paid by the Home Owners Association. The CTEET has a Memorandum of Agreement with the City of Cape Town which allows its staff to operate on City land.

The CTEET will work with the Haasendal Reserve Manager to manage the Haasendal Estate open spaces, riverine corridors and the ecological linkages to the Haasendal Nature Reserve. The CTEET will also provide resources, if and when available, to also manage the Haasendal Nature Reserve.

The funding will be derived from a conservation levy to be included in the estate levies, the amount of which have been outlaid in the CTEET proposal. This will reduce the management costs to the MHOA and future buyers. The conservation levies will be ring-fenced and managed by the CTEET to be utilised only for the proposed Haasendal development. Other management functions including the management of grassed areas and the management of the storm water infrastructure will remain the responsibility of the MHOA.

All bulk services will be supplied by the City of Cape Town. The holder will assist with the provision of bulk services to the proposed development, as well as the construction of Saxdowns Road. Bulk services connections are readily available along Saxdowns Road.

The Preferred Layout Alternative is deemed as preferred as it has incorporated the storm water management requirements and has also taken cognisance of the findings of the Freshwater Assessment Report. All buffer areas as proposed in the Freshwater Assessment has been

responded to and have been incorporated into the layout. An ecological buffer area has been included toward the south of the Bottelary River in order to accommodate a seasonal stream / tributary leading from south to north. This also allows for ecological processes along with the buffer provided further toward the east.

Layout alternative 1:

This alternative entailed the establishment of the Haasendal Estate, which will include numerous residential precincts, a commercial node along Saxdowns Road as well as a private school and associated infrastructure.

A mixed-use estate will be created with both private and public access. The Estate will obtain access via Saxdowns Road at two intersections. Both intersections (Pugsli Road and Boschendal Boulevard), a proposed west-east link road (Boschendal Boulevard), as well as two proposed north-south link roads (Blomendal Boulevard and Rivendal Road) will provide public access to the higher order land uses along Saxdowns Road.

The higher order land uses will include an already approved mall, an approved filling station with two fast food chains, 50 000m² of floating GLA for various businesses, a Curro School and an 8.2518ha public river park. Access gates to the Estate will be located on Pugsli Road to the north as well as Rivendal Road to the east.

The Estate will include flats, group housing as well as single residential housing opportunities. The proposed residential land uses will vary from retirement homes, apartments, semi-detached town houses, row houses, group houses as well as larger single residential plots. Each housing typology will cater for a different income market. Only part of the development will be located within a secure estate, the remainder will be open to the public, including the planned social housing development located directly to the south. The total number of units (3398) includes 768 single residential units (of which 378 is already approved), 401 group housing/apartment units and 2229 (of which 187 is already approved) apartments. At least 65% of the units will be apartments of which 70% (1727) will be located outside of the estate.

Other features included in the Estate include dedicated cycling and pedestrian walkways, as well as public and private open spaces along the Bottelary River. The development will be managed by a Master Property Owners Association.

The Bottelary River Park (public park) together with the Haasendal Park (private park) will be the largest communal open space area in the Haasendal Estate. Situated along the Bottelary River, the Park will be within a 400m radius or 5-10min walking distance of the entire Estate. The Bottelary River Park will be 8.25ha in extent and approximately 2.3ha will be informal lawn areas with the rest being pathways, fynbos and riverine vegetation.

The proposed development incorporates 82 163m² for Bottelary River Park, 18 120m² (10) for Haasendal Park and 41 946m² for school fields that will be open to the public.

Most of the public open spaces will be structured around the Bottelary River. Additional 946m² and 1564m² strips of land to the north and south have been incorporated to serve as access opportunities. A private road is required to serve the security section of Haasendal Estate. The Haasendal Park private open space will be fenced and access will be controlled via biometric technology. If Haasendal Park cannot be an access controlled open space it will negate all the security planning for this portion of the development. The secure, access-controlled portion of the Haasendal Estate is an important product aimed at a specific market segment envisaged in this mixed-use Estate.

Since Turnberry has no internal private space access to the Estate park would need to be provided. The open space strip to the north will provide access to Haasendal Park for the Turnberry development. A gate with biometric scanning facility will be placed at the southern end of the 946m² strip of public open space which will grant the members the required access. The residents of Turnberry Estate will become part of the Haasendal Estate Master Homeowners Association and its Constitution. The security section of Haasendal Estate has already been reduced to ensure that most of Bottelary River will be open to the public in line with the requests obtained from the City of Cape Town Environmental Management Department.

Approximately 15ha of medium sensitivity Cape Flats Sand Fynbos, which has re-established, will be lost due to the proposed development.

Layout alternative 1 is not preferred due to the following:

- The City of Cape Town required the alignment of Boschendal Boulevard to be extended up to the north eastern boundary of the site with the future proposed connection road to be extended from this location and not south east as per Layout alternative 1.
- The City furthermore indicated that no private roads would be allowed to serve as access throughout the development. This meant that the proposed private road (node14b) had to be rezoned to a public road.
- All proposed open space areas must be rezoned to public open space and not hinder any access for the general public.
- The knock-on effect of the above amendments was such that the proposed security estate section had to be omitted and security will now only be provided at each individual node.

Layout alternative 2:

This alternative entailed the establishment of the Haasendal Estate which will include numerous residential precincts, a commercial node along Saxdowns Road as well as a private school and associated infrastructure.

A mixed-use estate will be created with both private and public access. The Estate will obtain access via Saxdowns Road at two intersections. Both intersections (Pugsli Road and Boschendal Boulevard), a proposed west-east link road (Boschendal Boulevard), as well as two proposed north-south link roads (Blomendal Boulevard and Rivendal Road) will provide public access to the higher order land uses along Saxdowns Road.

The higher order land uses will include an already approved mall, an approved filling station with two fast food chains, 50 000m² of floating GLA for various businesses, a Curro School and an 8.2518ha public river park. Access gates to the Estate will be located on Pugsli Road to the north as well as Rivendal Road to the east.

The Estate will include flats, group housing as well as single residential housing opportunities. The proposed residential land uses will vary from retirement homes, apartments, semi-detached town houses, row houses, group houses as well as larger single residential plots. Each housing typology will cater for a different income market. Only part of the development will be located within a secure estate, the remainder will be open to the public. The total number of units (3402) includes 769 single residential units (of which 378 is already approved), 419 group housing/apartment units and 2215 (of which 187 is already approved) apartments. At least 55% of the units will be apartments of which 50% (1713) will be located outside of the estate.

Other features included in the Estate include dedicated cycling and pedestrian walkways, as well as public and private open spaces along the Bottelary River. The development will be managed by a Master Property Owners Association.

Layout alternative 2 is essentially the same as Layout alternative 1. However, a number of additional requests were made by the City of Cape Town which resulted in the requirement to provide additional information. This layout is not preferred due to the same reasons as outlined for Layout alternative 1, as well as the additional public open space access zones which were required along the northern and southern boundary.

Layout alternative 3:

This alternative is essentially the same as the preferred layout alternative, although a few important amendments have been made to this layout alternative. The City of Cape Town requires that Boschendal Boulevard be extended south up to the boundary of the site with the future proposed social housing component. This layout alternative includes two additional properties of 2.56ha and 3ha, respectively, located toward the east of the Kuils River Golf Course.

During a meeting held with the City of Cape Town Transport Department, a number of small amendments were requested to be made to the internal road network. During negotiations with the Curro School, it was requested to enlarge the school site as well as the shape of the site. As such, Rivendal Road has been slightly re-aligned.

The functionality and location of some of the storm water ponds have also been slightly increased to improve their function and suitability in the development, specifically with residential areas in mind.

Layout alternative 3 is not preferred due to the following:

- The City of Cape Town required that Boschendal Boulevard be extended up to the southern boundary of the site with the future proposed social housing component.
- This layout alternative included two additional properties located toward the east of the Kuils River Golf Course, comprising of 2.56ha and 3ha respectively. It has subsequently been agreed to omit these portions.
- A meeting was held with the Transport Department of the City of Cape Town and a number of amendments were requested to the internal road network.
- During the final negotiations with the private school (Curro) it was requested to enlarge the school site as well as the shape of the site. For this reason, Rivendal Road had been slightly re-aligned.
- The functionality and location of some of the storm water ponds had to be slightly augmented to better serve its function, as well as to fit better into the development functionality, specifically with residential areas in mind.

"No-Go" Alternative:

This alternative entails maintaining the *status quo* and as such, the proposed Haasendal Estate will not be established. This alternative was not deemed as preferred as it will not alleviate the shortage of residential land in the area. The land use of the site will also not be in line with that of the surrounding developments in the area.

3. Impacts, assessment and mitigation measures

3.1 Activity Need and Desirability

According to the City of Cape Town Metropolitan Spatial Development Framework, 2018, the site lies within an Incremental Growth and Consolidation Area. The principle of such an area is for the City to service, maintain and upgrade existing areas and to support new development subject to infrastructure capacity.

The site is located within the urban edge and is in line with the spatial planning for the area. According to the Tygerberg District Plan dated 2012, the site lies within an area

identified for medium density urban development and is adjacent to an identified development route. Open space systems have been incorporated into the design of the Estate, and a mixture of housing types and sizes are provided. These aspects are highlighted within the District Plan to ensure the formulation of an inclusive and resilient development within the area.

The proposed development will have a positive economic impact on the greater Brackenfell and Kuils River areas, as it will create a number of single residential and higher density residential units for residents in the greater area. The proposed mixed-use development will enhance access to housing, employment, educational as well as recreational opportunities. In addition, the development contributions will ensure investment towards City-provided services. The proposed development will generate an increase in funds available to the City through the generation of additional income tax, which will see increased economic investment into the greater area.

The proposed development promotes spatial compatibility which will enhance the unique landscape of the future Saxdowns Road and Bottelary Road.

3.2 Botanical Impacts

A Botanical Impact Assessment Report dated 25 October 2019 was compiled by Nick Helme Botanical Surveys to assess the potential botanical impacts associated with the proposed development.

The properties are mostly vacant and two residential dwellings (not older than 60 years) are located on two separate portions of the properties. The buildings will be demolished as the applicable pocket(s) are developed. The site is disturbed in its entirety and a road network has also been constructed on site. There are also Eskom power lines on the site.

A small patch (less than 0.5ha) of conservation worthy natural Thicket vegetation has been identified on the site in 2007, but has subsequently been brush cut. The Thicket patch is suggestive of Cape Flats Dune Thicket in composition, but could also have been consistent with Swartland Granite Renosterveld with species such as pendorring, dune taibos, blue kunibush, and *Putterlickia pyracantha*. Autumn flowering bulbs such as paintbrush, tolbos, and Maartblom are present on the steep sandy banks in the area. These species have survived since the steeper area has not been ploughed, and the plants are not edible or palatable to stock.

Approximately 75% of the site is of low botanical sensitivity. No plant species of conservation concern are expected to occur in viable or significant numbers, and the rehabilitation potential is low. Indigenous plant diversity in these areas is very low and consists only of weedy, widespread species.

Approximately 25% of the site (15ha) is of medium botanical sensitivity. No plant species of conservation concern were recorded, but there is a low to medium chance that two or three species are still undetected (bulbs, or dormant in seedbank). Species diversity is low to medium, and the area has moderate rehabilitation potential. Most of this area is mapped as a Critical Biodiversity Area 2 ("CBA") on the City of Cape Town's Biodiversity Network, 2017.

A small patch of approximately 0.3ha is deemed to be of medium to high botanical sensitivity, since it has moderate species diversity and supports at least 200 plants of the near threatened *Lampranthus explanatus*.

Approximately 15ha of medium sensitivity Cape Flats Sand Fynbos, which has re-established, will be lost due to the proposed development. As on-site mitigation, a financial contribution will be implemented via a conservation levy to mitigate the removal of the indigenous vegetation. The Home Owners Association will make an annual environmental management contribution to the management of the adjacent Haasendal Nature Reserve, payable to the management authority or their agreed entity. This recommended mitigation measure has been included in the conditions of authorisation and the EMPr.

3.3 Freshwater Impacts

A Freshwater Assessment Report dated May 2017 (updated December 2019) was compiled by BlueScience to assess the potential freshwater impacts associated with the proposed development.

The Bottelary River flows through the site from east to west and five unnamed tributaries confluence with the Bottelary River on the site. There are also a few wetland areas associated with the Bottelary River and its tributaries. A few small dams occur as water features on the existing Kuils River Golf Course that contains some fringing wetland habitat.

Bottelary River:

The Bottelary River is not mapped as a Freshwater Ecosystem Priority Areas ("FEPA") river, but areas adjacent to and within the Bottelary River are mapped as FEPA wetlands.

The Bottelary River is artificially impounded within the Kuils River Golf Course when entering the site. The impoundments comprise of a series of weirs which are fringed by reeds and bulrushes in places, but are mostly fringed by lawns of the golf course. A number of alien plants such as weeping willows have also been planted along the banks of the impoundments. The impoundments provide habitat for water fowl such as Red-knobbed coot.

After flowing over the final weir, the river reverts to a fairly narrow channel of approximately 5m wide. Much of the Bottelary River is wetland in nature. The channel is dominated by dense reeds that provide nesting habitat for a number of avian species such as southern red bishop. Other indigenous plants common along the river include wilde wingerd, riverbed grass, bulrush, arum lilies and mat sedge. The river has been canalized for approximately 40m until it flows under the Saxdowns Bridge and downstream of the site.

Unnamed tributary 1:

Unnamed Tributary 1 flows from the north of the site. Upstream of the site the tributary flows through urban areas and is mostly piped. Two small streams confluence on the northern boundary of the site to form the unnamed tributary. At the site both streams and the unnamed tributary are canalized (with brick bed and bank) until they flow into a small circular dam. Downstream of the dam the tributary flows south through previously cultivated fields. The tributary is piped through a road crossing and then continues to flow south until its confluence with the Bottelary River.

Unnamed Tributary 2:

Unnamed Tributary 2 rises to the north of the site and flows in a southerly direction across the site. On the site the tributary flows through the Kuils River Golf Course. The lower sections of the tributary form part of the artificial impoundments on the Bottelary River.

Unnamed Tributary 3:

Unnamed Tributary 3 flows in a north-western direction off the hills to the south east of the site. The stream is impounded in a farm dam off the site. In its lower reaches before it confluences with the Bottelary River, the stream is densely invaded by *A. saligna*. The tributary confluences with the Bottelary River immediately downstream of the Kuils River Golf Course.

Unnamed Tributary 4:

Unnamed Tributary 4 flows off the north facing slopes to the south of the Bottelary River. The tributary has two small impoundments in its upper reaches. At the confluence with the Bottelary River the tributary is dominated by alien invasive Port Jackson willows and kikuyu grass.

Unnamed Tributary 5:

Unnamed Tributary 5 flows off slopes to the south of the Bottelary River. The tributary has a small catchment and is approximately 400m in length. It is dominated by dense growing alien invasive Port Jackson willows and kikuyu grass.

Summary of the on-site watercourses:

The features on the site have been modified by upstream activities such as treated waste water and storm water discharges, canalisation and piping. Much of the indigenous riparian vegetation has been removed from the river and streams. The riparian zones have been invaded by *P. clandestinum* and *A. saligna*. The instream habitat of the Bottelary River is considered to be moderately modified while the riparian habitat is largely to seriously modified. The instream habitat of the tributaries is considered to be moderately to largely modified and the riparian habitat is considered to be seriously modified. The wetlands on the site are considered largely modified.

The Bottelary River is of moderate ecological importance and sensitivity and its tributaries are considered to be of moderate to low ecological sensitivity and importance. The wetlands offer certain ecosystem services to a moderate extent and are considered to be of moderate ecological importance and sensitivity. The findings of the Freshwater Assessment have been taken into consideration as the preferred site layout incorporates the 32m environmental buffer as well as the 1 in 100 year and 1 in 50 year flood lines. The entire river corridor will be utilised as a public park and an ecological corridor linking the Haasendal Nature Reserve to the Bottelary River have also been included. A minimum 30m corridor has been provided from the centre line of the stream. The recommendations of the freshwater specialist have been included in the conditions of the Environmental Authorisation and the EMPr.

The RMMP approved as part of this authorisation contains the measures and guidance as to how the maintenance activities will be undertaken.

3.4 Health impacts

An Environmental Health Impact Assessment ("EHIA") Report dated June 2018 was compiled by Monique Sham Environmental Consultants, to investigate and advise on the environmental risks arising from human activities which have the potential to impact the health of communities.

The following potential environmental health impacts were identified and assessed:

- Potential sewer leaks/spillages;
- Noise impacts associated with construction activities;
- Vectors and pests associated with construction and operational activities; and
- Air quality impacts (dust and sand).

The Report concluded that the overall condition of the site will be greatly improved after the proposed development is completed. The recommendations and mitigation measures identified in the EHIA are included in the EMP. The EHIA concluded that with the implementation of the identified mitigation measures, it is likely that the resultant impacts on human health will be negligible.

3.5 Traffic impacts

A Traffic Impact Assessment Report dated April 2019 was compiled by Deca Consulting Engineers, to investigate the potential traffic impacts of the proposed development on the surrounding road network.

The Traffic Impact Assessment concluded that there will be a considerable traffic impact, necessitating improvements on the external road network. The most important findings are summarised below:

Road network improvements required regardless of Haasendal traffic:

- Dualling of Bottelary Road from Amandel Road to the east of Saxdowns Road. The holder has agreed to dual Bottelary Road between Amandel Road and Saxdowns Road;
- Dualling of Saxdowns Road from Bottelary Road to beyond Sandalwood Road (opposite the future Boschendal Boulevard); and
- Upgrading of the Brackenfell Boulevard/Bottelary Road/Saxdowns Road intersection.

Improvements required on the external road network for the full Haasendal Estate traffic:

- Further improvements at the Brackenfell Boulevard/Bottelary Road/Saxdowns Road intersection;
- Provision of additional lanes at Saxdowns Road/Pugsli Boulevard intersection; and
- Construction and signalisation of Saxdowns Road/Boschendal Boulevard intersection.

Internal road and intersection requirements for the full Haasendal Estate traffic:

- Provision of space for an alternative connector between Haasendal Boulevard and Pugsli Boulevard east of Blomendal Boulevard; and
- Provision of two new roundabouts on Boschendal Boulevard.

Public and non-motorised transport:

- Public transport facilities should be incorporated into the design of Saxdowns Road when it is upgraded;
- Some parking bays should be reserved for minibus taxis at commercial components; and
- Sidewalks should be provided along Saxdowns Road, Pugsli Boulevard, Blomendal Boulevard and Boschendal Road.

The City of Cape Town requires the construction of a link road between Saxdowns Road and the future Zevenwacht Link Road to satisfy the future traffic requirements in the area. The holder must therefore construct the Class 4 distributor road through the Haasendal Estate development up to the eastern boundary of the site. From the eastern boundary, the extension of the road across Erf ST222-64 to connect with the Zevenwacht Link Road, will be funded by other development contributions.

In order to construct the link road, which is seen as an extension of Sandalwood Road, the link road has to traverse Erf ST222-64, with the existing Haasendal Nature Reserve being the southern barrier and the Bottelary River corridor being the northern barrier. The location of the current link road is deemed the most appropriate location from a biodiversity

perspective, since the northern portions of Erf ST222-64 contain a number of environmental constraints.

The Estate is easily accessible to the surrounding areas since Bottelary Road links to the R300 to the west and the R304 to the east. In addition, Saxdowns Road becomes Brackenfell Boulevard, thereby providing easy access to the northern suburbs. There is also the possibility for an additional access off the Future Zevenwacht Link Road to the east.

Three main access roads to the development are proposed. One access has already been constructed (Pugsli Road) and serves as the access to the existing Turnberry Estate. Another left-in access has been constructed toward the north of the existing access and provides access to the Gables Mall. Furthermore, another full access will be constructed toward the south of the Bottelary River opposite the existing Sandalwood Road. The internal roads will consist of both two-lane and four-lane dual carriageways.

3.6 Storm water impacts

The preferred layout alternative incorporates the storm water management requirements as per the Storm Water Management Plan. The storm water management for the entire site consists of two wet attenuation ponds and eight dry attenuation ponds, resulting in ten ponds in total. The use of permanent pools, aquatic benches, bio-retention areas and sediment traps will ensure that the water quality standards are achieved.

3.7 Noise impacts

A Noise Impact Assessment Report dated July 2018 (Updated March 2019) was compiled by Jongens Keet Associates, to investigate the potential noise impacts of the proposed development.

The traffic generated by the proposed development will result in just under a doubling of traffic on Saxdowns Road south of the development and thus passing existing residential suburbs. Most humans cannot perceive a change in "loudness" for a change in sound/noise level of 3dB or less. The increase in noise level of less than 2dB along Saxdowns Road north of the development will be insignificant. The relative increase in noise due to road traffic generated by the development is estimated to be negligible.

The development will result in both negative and positive impacts.

Negative Impacts:

- Potential impacts on the Bottelary River and its associated tributaries and upstream wetlands.
- The development will entail the clearance of indigenous vegetation on the site.
- Increased traffic impacts on the surrounding road network.
- Construction phase impacts (noise and visual impacts during construction).

Positive impacts:

- Some employment opportunities will be created during the construction phase of the development.
- Creation of single residential and higher density residential units for the residents in the greater area.
- Construction of a link road between Saxdowns Road and the future Zevenwacht Link Road.
- Establishment of a river corridor which will be utilised as a public park. The ecological corridor will link the Haasendal Nature Reserve to the Bottelary River.

National Environmental Management Act Principles

The National Environmental Management Act Principles (set out in section 2 of the NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- the selection of the best practicable environmental option.

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

You are reminded of your general duty of care towards the environment in terms of Section 28(1) of the NEMA which states: *“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”*

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